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| USDC SDNY DOCUMENT ELECTRONICALLY FILED DOC #: DATE FILED: 1/22/2021 |
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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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| -----X | | |
| BOARD OF MANAGER OF THE 243 WEST 98 | : | |
| CONDOMINIUM, | : | |
| | : | |
| Plaintiff, | : | 21-CV-518 (VEC) |
| | : | |
| -against- | : | <u>ORDER</u> |
| | : | |
| JULIE ANN GOLDBERG, JOHN DOE #1 TO | : | |
| JOHN DOE #20 | : | |
| | : | |
| Defendants. | : | |
| -----X | | |
| VALERIE CAPRONI, United States District Judge: | | |

WHEREAS on July 31, 2020, Plaintiff initiated this case by filing a complaint in New York State Supreme Court (Dkt. 3-1);

WHEREAS on September 8, 2020, Defendant moved to dismiss Plaintiff's complaint (Dkt. 3-2);

WHEREAS on November 17, 2020, New York State Supreme Court Judge Goetz denied Defendant's motion to dismiss (Dkt. 3-5);

WHEREAS on January 22, 2021, Defendant filed a notice of removal, dated January 21, 2021 (Dkt. 3);

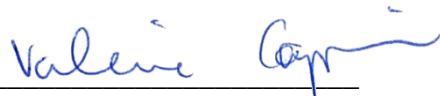
WHEREAS a notice of removal must be filed "within 30 days after the receipt by the defendant, through service or otherwise, of a copy of the initial pleading setting forth the claim for relief upon which such action or proceeding is based, or within 30 days after the service of summons upon the defendant if such initial pleading has then been filed in court and is not required to be served on the defendant, whichever period is shorter." 28 U.S.C. § 1446(b)(1);

WHEREAS more than 30 days have passed since Defendant received a copy of the initial pleading in this case;

IT IS HEREBY ORDERED that no later than **February 5, 2021**, Defendant must file a letter showing cause why this case should not be remanded to New York State Supreme Court. Plaintiff's response is due by **February 12, 2021**.

SO ORDERED.

Date: January 22, 2021
New York, New York



VALERIE CAPRONI
United States District Judge